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THE INTERIM

JUNE 1998

HELENA, MONTANA

VOL. XI NO. 13

LEGISLATIVE RETIREMENT

LSD Preparing Budget Projections...The Legislative Services Division is currently preparing budget projections. Part of those projections include the state's portion of Public Employees' Retirement System (PERS) contributions for legislators. The Division is asking legislators who are interested in purchasing PERS time to contact the Public Employees' Retirement Division. Your early inquiry would be very helpful for budget planning purposes even if you choose not to purchase any service at this time.

Retirement Eligibility...To be eligible to retire, a legislator must be a member of PERS and be vested at the time of termination of employment. Vesting is obtained when a legislator completes five years of service and purchases those years with PERS. Being vested guarantees a retirement benefit after the minimum age of 50 is reached. Vesting under PERS also extends a legislator's eligibility to continue insurance coverage under the State of Montana Employees' Benefit Plan.

Questions regarding legislator retirement should be directed to:

PUBLIC EMPLOYEES' RETIREMENT DIVISION
Michael O'Connor, Administrator 444-3154
Kim Flatow, Benefits Bureau Chief 444-5449
1712 9th Ave
PO Box 200131
Helena MT 59620-0131

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Questions regarding insurance options should be directed to:

LEGISLATIVE SERVICES DIVISION

Tina Petersen, Payroll/Accounting/Personnel Spec 444-9542

Room 32, State Capitol Bldg

PO Box 201706

Helena MT 59620-1706

CORRECTIONAL STANDARDS AND OVERSIGHT COMMITTEE

Committee Meets in May...The Correctional Standards and Oversight Committee met on May 1 in Helena. The main topics for the meeting were:

- Department of Corrections (DOC) updates from Director Day on the prison riot trials, out-of-state contracts for women inmates, private prison progress and recent construction bids;
- information on the effect of contract placements on the Montana State Prison ranch;
- an overview of the Adult Correctional Information System (ACIS); and
- a recommendation from the Jail Standards Subcommittee on mandatory adult detention standards.

Subcommittees Continue Work...The Juvenile Issues and Jail Standards Subcommittees held a joint meeting on Thursday, May 21 that included an update on draft legislation that has been requested on Youth Court Act confidentiality provisions and the Extended Jurisdiction Prosecution Act. The Subcommittees also reviewed the youth placement and foster care budgets at DOC and a memorandum of understanding with Department of Public Health and Human Services for the next biennium. A newly appointed Advisory Committee on Juvenile Detention Standards and Administrative Rules began its work to review standards for licensing juvenile detention facilities in order to advise DOC's rulemaking process.

The Private Prisons and Programs Subcommittee will be meeting June 18 at 3 p.m. in Room 108 of the State Capitol. Members attended the Judges Conference in Whitefish on May 18 and held a conversation with District Court Judges on corrections-related issues. Topics that they will be reviewing in June include adult reparative justice programs and an Ad Hoc Committee on Sentencing contract for review of Title 46 and Title 53, chapter 18.

To Meet in June...The next meeting of the Correctional Standards and Oversight Committee will be Friday, June 19 at 8:30 a.m. in Room 108 of the State Capitol. The agenda to date includes a DOC update, a presentation based on the DOC METNET, Subcommittee updates, and the first round of final Subcommittee recommendations.

For more information about the next meeting or about the Committee in general, please contact Susan Byorth Fox at 444-3064 or by e-mail at <sfox@mt.gov>.

INTERIM PROPERTY TAX COMMITTEE

Committee Meets in Northwest...The Interim Property Tax Committee, created by SB 195, continued its quest to "reform, revise, or replace Montana's property tax system" by continuing to examine alternatives to the current system. The Committee conducted its 13th and 14th public hearings on the issue of property taxation in Montana. May 14 and 15 meetings in Whitefish and Kalispell again reinforced the difficulty of the Committee's task: identifying statewide solutions to regional, local, and even neighborhood problems that vary widely in nature, scope, and severity and that, in all likelihood, will change in the future much like they have in the past.

From testimony received at the various hearings, several findings are becoming more clear:

Many of the folks testifying feel property taxes on, particularly, residential property, are too high, unfair, inequitable, or some other adjective that might be loosely translated as somewhere between "less than desirable" to "unacceptable". For some others testifying, property taxes on business equipment fall into the same category.

Locally-elected city, county, and school officials believe they are capable of and accountable for assessing the needs of their respective constituents and of responsibly handling the fiscal affairs of their jurisdictions, but only without past and (potential) future "big brother" type requirements and restrictions imposed by the Legislature;

While significant numbers of citizens testifying believe that funding for K-12 education is overly reliant upon property taxes, at least sufficient or even excessive, or both, school officials testifying cite examples of outdated and too few textbooks; lack of computer hardware, software and training; combining grades/classrooms; eliminating electives and extracurricular activities; and even closing schools as evidence that they (schools) are under significant to severe fiscal stress; and

A single, statewide solution will be very difficult to craft because the "problem" in Wolf Point, Glasgow, Miles City or Forsyth -- where the tax base is declining-- is quite different from the "problem" in Whitefish, Kalispell, Bozeman, or Red Lodge -- where residential property values are increasing annually at a double-digit pace.

New Revenue Source v. Reduction in Services...It has also become clear that to significantly reduce property taxes across the board will take a substantial amount of

revenue from a revenue source that has yet to be tapped in Montana, e.g., a general statewide sales tax on the consumption of goods and services or a substantial reduction in public services historically supported by property taxes, including elementary and secondary education -- or some combination of both. To provide some perspective, in FY 1998 total state and local property tax collections in Montana will amount to about \$800 million, not including revenue received from "flat taxes" on such items as automobiles and light trucks and production of oil, coal, and natural gas. In comparison, total personal income tax collections should be about \$400 million during the same period and existing sales and excise taxes, e.g. the tax on motor fuel, new cars, insurance premiums, motel rooms, etc., should be about \$275 million.

Substantial reduction in the property tax burden borne only by certain types of property, e.g., residential or business equipment, may be possible, but not without some amount of replacement revenue or significant reductions in property-tax-supported services, or both.

Thus, the Committee struggles to identify remedies that can work in the context of statewide tax policy and that will both alleviate the specific burdens indicated by citizens and, simultaneously, accommodate the desire-cum-need of locally elected officials to manage the affairs of their jurisdictions and constituencies. [It has been not-so-subtly pointed out that the numbers of people electing county commissioners or school trustees in several jurisdictions of the state far outnumber the people electing either state representatives or state senators in any legislative district in Montana, and that often, they are the same voters.]

Only 4 Months Left...With only 4 months and two more work sessions scheduled this interim, the Committee's work will soon come to some type of closure. Remaining meetings scheduled are: Havre, June 18; Great Falls, June 19; Columbus, August 6; Billings, August 7; and Helena, September 11 (or possibly the 14th). The Committee encourages your participation and solicits and welcomes any input, ideas, solutions, suggestions, or other magic that anyone has to offer.

LEGISLATIVE SERVICES DIVISION

Reports Available...The following reports are currently available from the Legislative Services Division. To obtain a copy, please contact the LSD Library at 444-3064 or by e-mail at <efurbush@mt.gov>.

"Seeking Middle Ground: Can Policy Makers Find an Answer to the Spiraling Costs of Corrections?", April 1998, Gordon Higgins

"Comparison of Regional Corrections Agencies", April 1998, Gordon Higgins

"State Legal Obligation to Provide Child Support and Public Assistance Programs", January 1998, David Niss

OVERSIGHT COMMITTEE ON CHILDREN AND FAMILIES

Committee to Meet Two More Times...The Oversight Committee on Children and Families (CCF) is well on its way to accomplishing the goals members set at their first meeting last August. To finish its work, CCF will meet two more times, June 22 and August 10.

Rather than focus on one issue to study, the CCF chose to take on a number of items and produce a guide for members' colleagues that would be a useful tool as the Legislature grapples with children and family-related legislation in January.

Teen Pregnancy Prevention...CCF received a "teen pregnancy primer" during its November meeting. Staff from the Department of Public Health and Human Services (DPHHS) outlined the problem of unintended teenage pregnancy and introduced members to some of the possible solutions. CCF has been receiving updates on DPHHS grant proposals aimed at reducing the incidence of teenage pregnancy in Montana. Representative Loren Soft, Chair of CCF, serves on the advisory council that is reviewing DPHHS' federal grant for an abstinence-only education program.

"Kids Count Data Book"...CCF heard a couple presentations from Healthy Mothers/Healthy Babies and Montana Council for Maternal and Child Health representatives about the "Kids Count Data Book" (Book). The Book is produced every year by Healthy Mothers/Healthy Babies and is intended to provide not only data collection, but data analysis and examination of trends that reflect the habits and behavior of Montana's young people. CCF voted to compose two letters expressing its support for the Book: one that may be used by organizers of the project for fundraising, and the other to the Healthy Mothers/Healthy Babies Board of Directors urging exploration of alternative means of disseminating information contained in the Book. CCF declined to endorse an appropriation of state funds for production of the Book.

Fatherhood Initiative...Another Healthy Mothers/Healthy Babies project is a fatherhood initiative to educate dads and promote responsible fatherhood. Organizers simply wanted to raise CCF member awareness of the project and did so through a presentation at the November meeting.

Child Abuse Prevention...Early in the interim, the Montana Council for Families (Council) asked for CCF's support in its efforts to curb and eventually eradicate child abuse in Montana. The Council presented CCF with background information on the problem, the prevalence of child abuse, and the programs aimed at preventing abuse. The Council had two specific requests and CCF unanimously complied with both. CCF composed two letters to DPHHS Director Laurie Ekanger, legislative leaders, and DPHHS regional advisory councils recommending continued funding of crisis care and parent support groups, both proven child abuse prevention strategies.

Hearing Screening for Newborns...Dr. Michael Spence, State Medical Officer, provided CCF with information on his efforts to institute routine hearing screening for newborn babies in all of Montana's hospitals. Dr. Spence discussed the significant difference that can be made in a child's ability to communicate if hearing difficulties are identified early. He wanted to make CCF members aware of his activities, but stopped short of requesting legislation or funding. Dr. Spence expressed his confidence that hospitals will recognize the importance of the procedure and, as funds become available to them, will voluntarily acquire the equipment and conduct the screening on a regular basis.

DPHHS Developmental Disabilities...CCF learned of the problems confronting adults and children with developmental disabilities and of the ways that DPHHS is addressing them. Members discussed methods to alleviate waiting lists for services. CCF declined to endorse the Division's specific proposals after considering that Committee action and endorsements (specifically those involving funding and the EPP process) should take into account the needs of the entire Department, rather than portions of it.

Child Care...At its April meeting, CCF discussed child care licensing and administrative rules with DPHHS quality assurance and child care staff. As a result of that discussion, CCF will be requesting two bill drafts: one to allow for extended child care licensing and the other to provide for issuance of a single license for different facility types.

Children's Health Insurance Program (CHIP)...Several members have commented that CCF's involvement in the development of the CHIP state plan may be their most important accomplishment of the interim. Because of members' commitment to the concept of providing health insurance to low-income children, CCF members did not hesitate to devote considerable time and effort to the CHIP state plan development process. Members served on the CHIP Advisory Council, and CCF assumed the role of a consultant of sorts to DPHHS. As a bipartisan Committee with members at nearly all points on the political spectrum, CCF provided insight to DPHHS as to what kind of CHIP plan had the best chance of gaining the approval of the 1999 Legislature. In addition to its advisory role, CCF's involvement in the CHIP process has resulted in a group of eight legislators with a fairly comprehensive understanding of the federal government's expectations of state CHIP plans and the issues that are sure to arise as the legislation travels through the 1999 Legislature. This education should prove invaluable come January.

To Meet in June...The CCF will meet on June 22. Tentatively scheduled for the next meeting are a dialogue with DPHHS regarding Child Protective Services, including discussions with field staff; a discussion of rate increases for group home providers; a preview of legislative initiatives; a CHIP update; a Mental Health Managed Care update; a review of the Interagency Coordination Council's (ICC) unified prevention budget format and a discussion of future ICC activities; and a first look at the final report format.

LEGISLATIVE COUNCIL

Council Meets in May...The Legislative Council met on May 15 and discussed a number of issues.

Land Exchange...The Council gave final approval to a policy to guide Council consideration of proposed land exchange issues. This policy states exactly the manner in which the Board of Land Commissioners will bring consultations for disposal of non-trust state lands to the Council. Following adoption of the rule amendment, the Council consulted on the proposed sale of the Galen Campus. The discussion led to a request of the Legislative Environmental Policy Office to review the state's responsibility for hazardous waste sites on state-owned land.

Legislative Improvement...The Legislative Improvement Subcommittee reported on its deliberations. The "Back Page" article in this issue of *THE INTERIM* reflects these discussions and the Council's desire to involve other legislators in the consideration of improvement issues.

Personnel...The Personnel Subcommittee, composed of Finance Committee, Audit Committee, and Legislative Council members, submitted a set of recommendations aimed at improving the status of the staff compensatory time balances in the Fiscal Division and Services Division. The Council endorsed the policy recommendations, which now must be likewise approved by the Finance Committee and Audit Committee to become governing policy. The most significant items reflect the necessity to manage interim workloads to allow compensatory time earned during a legislative session to be recouped before another session begins.

Capitol Renovation...The Council heard a brief report on the Capitol renovation project and ongoing work to improve the physical security of the Capitol. A series of meetings in April concluded all the preliminary planning work. Architects are now engaged in the preparation of detailed construction drawings in preparation for a series of steps culminating in the award of a construction contract this fall. Meanwhile, construction continues on the exterior envelope project with the removal of deteriorating sandstone cornices in preparation for replacement with cornices built over the winter. Rose marble sills are appearing in public areas of the building replacing the plastic wood grained sills emplaced just under 30 years ago. And, work proceeds toward finding temporary quarters for all of us Capitol residents to occupy during the next interim.

Districting and Apportionment -- BBSP Phase 2...Section 5-1-106, MCA, requires the executive director of the Legislative Services Division to provide technical staff needed by the Districting and Apportionment Commission to prepare its plans. This work must go on well before actual reapportionment work begins. Also, during May, the majority and minority leaders of the House and Senate and the Governor received a letter from the Bureau of the Census asking for a joint response to the question

whether Montana chooses to participate in Phase 2 of the Block Boundary Suggestion Program. The Council heard a presentation on these issues and endorsed a staff recommendation that the legislative leaders and Governor respond favorably to the request of the Census Bureau.

Future Meeting Dates...The next scheduled Legislative Council meeting dates and brief agendas are:

September 11, 1998

- review for approval the Legislative Branch Computer Systems Plan;
- final approval of submitted budget;
- set prices for legislative proceedings;
- receive Code Commissioner Report; and
- consider further legislative improvement issues.

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- designate the Council discretionary legislative interns; and
- final session planning.

(Note: the Legislative Council has recommended the pre-session Caucus be held November 14, one week earlier than usual. Legislative Branch planning and responses to inquiries assume this schedule. This is the last Legislative Council meeting scheduled prior to the session.)

ENVIRONMENTAL QUALITY COUNCIL

EQC Meets in Great Falls...The Environmental Quality Council (EQC) met on Friday, May 8 in Great Falls at the new regional prison facility. Agenda items included the Blackfoot river landslide, environmental self audit implementation, Bull Trout management, underground storage tank removal deadlines, voluntary superfund clean-up program, and a wildlife programmatic environmental impact statement update. The EQC subcommittee activities are set out below.

Montana Growth Issues...At its May 7th meeting in Helena, the Growth Subcommittee received growth-related information from two panel presentations. A panel of state officials from the Department of Environmental Quality's subdivision program, the Department of Administration's Cadastral Mapping Project, and the State Library's Natural Resource Information System programs explained what information is currently gathered and available to assist state and local officials and others in identifying land use changes and potential impacts resulting from growth and development. The second panel discussed the cause, effect, and interpretation of a recent Attorney General's opinion (Volume 47, Opinion No.10) regarding the applicability of the Subdivision and Platting Act to parcels of land that are described in U.S. Government Surveys as government lots or otherwise. The Subcommittee adopted an interim work plan that was presented to and adopted by the full EQC at

its meeting the next day. The proposed goal of the Subcommittee's growth study effort is to change the discussion of growth from one of subdivision review to one of planning for growth and to try to provide incentives for the adoption and implementation of comprehensive planning.

The EQC Growth Subcommittee's next meeting will be held in Dillon, June 25, from 8 a.m. to Noon on the campus of Western Montana College. The Subcommittee will hold a case study discussion with elected and appointed officials of several selected local governments regarding their experiences with efforts to establish planning and zoning within their jurisdictions.

For agendas or further information, contact Larry Mitchell 444-1352, or e-mail <lamitchell@mt.gov>.

Waste Tire Study...Senate Bill 332 requires that the EQC conduct a waste tire management study and present recommendations to the next Legislature. A Waste Tire Study working group of 25-30 citizens has met twice to present and discuss issues involved in the management of waste tires in Montana and elsewhere. Summary minutes of those meetings are available from EQC staff. A draft report will be prepared summarizing the problems and potential solutions identified by the group. Council staff will be developing a draft list of recommendations for review by the Waste Tire Study working group at its next meeting later this summer. Final recommendations will be presented for consideration by the EQC.

For further information, contact Larry Mitchell at 444-1352 or e-mail <lamitchell@mt.gov>.

Water Policy...The Water Policy Subcommittee met the afternoon of May 7th in Great Falls, furthered its progress on the Council's water-related statutory requirements, and provided advice to the Montana Department of Transportation on a legislative proposal.

The remainder of the meeting focused on the Subcommittee's highest priority--oversight of DEQ's implementation of HB 546 (the "TMDL" bill). DEQ staff presented to the Subcommittee their "schedule for completion of TMDLs" that was required by the legislation to be completed by May 5, 1998 (one year from its enactment). The schedule assumes the need to complete approximately 800 TMDLs (water quality restoration strategies) in 10 years from the date of enactment. DEQ staff also discussed their preliminary decision model for determining what level of water quality data will be considered "sufficient" to either add or remove a stream or lake from the "threatened or impaired waters" list. Where they place the data "bar" affects how many streams will automatically come off the list (because they lack the required level of data), as well as what investments in data collection are necessary to add a water to the list.

The Subcommittee completed its May meeting with a work session to prepare to package the results of its deliberations for the full Council and Legislature.

The Water Policy Subcommittee is tentatively scheduled to take on several topics during their morning meeting on June 25th. In fulfilling a request from DNRC for the Council to serve as the State Water Plan Advisory Committee (rather than creating a new separate committee) for this interim, the Subcommittee will have its first

opportunity to react to a proposed new State Water Plan chapter on ground water. The Council will also provide a forum for a discussion of water rights protection, using a case study from the Gallatin Valley as a means to explore water use permit processes and enforcement, and any potential policy issues this case study may raise. The Subcommittee's work session will focus on the FWP instream flow leasing program, HB 546 implementation oversight, and the Water Policy Report to the Legislature.

For more information, contact Kathleen Williams, EQC staff, at 444-3742.

EQC to Meet in Dillon...The next EQC meeting is scheduled for June 26 in Dillon. The meeting will emphasize water policy and issues relevant to southwestern Montana. Subcommittee meetings will be held on the morning of June 25th. EQC members will participate in a "HB 546 Demonstration Tour" that afternoon, a water supply-related discussion at a riverside dinner that evening, and a full Council meeting the following day.

EQC staff are working with Council leadership to fit a variety of topics into the June 26th agenda, including discussions with local watershed and planning groups; a discussion of potential program changes at the Department of Fish, Wildlife, & Parks; an update on a broad interagency coordination effort (the Gravelly Landscape Analysis); open public comment; Montana's drought status; and review and comment on the statutorily-required biennial report of the Renewable Resource Grant and Loan program.

Agendas for the June Council and Subcommittee meetings are currently being drafted. Persons wishing to participate in the meetings should contact the EQC office after June 8th for copies of agendas.

For more information please contact the EQC staff at 444-3742 or via the Internet at <teverts@mt.gov>.

TRANSITION ADVISORY COMMITTEE

TAC Meets in Great Falls...The Transition Advisory Committee (TAC) met in Great Falls on April 24. The TAC heard three presentations concerning the Clinton Administration's proposal to offer consumer choice on a national level, California's experience to date with electric industry restructuring, and the Montana League of Cities and Town's municipal energy purchasing proposal.

President Offers Proposal...Dan Adamson, Senior Advisor to the Secretary of the Department of Energy, via conference call, outlined the President's proposal to require that all customers in the U.S. have choice of their electric suppliers by January 1, 2003. The President's proposal would create a federal matching fund for public purpose programs like low-income energy assistance, energy efficiency activities, consumer education, and funding for renewable technologies.

TAC Hears About California Experience...The TAC received an update on California's experience with electric industry restructuring. Dan Nix, Bill Chamberlain, and Mike Jaske of the California Energy Commission addressed the TAC. They noted that 5% of California's electrical load had gone to retail access, and this was predominantly commercial and industrial customers. Their legislation provides a mandatory 10% rate reduction to residential and small commercial customers. Approximately \$75 million of a \$90 million education campaign has been expended. Their biggest challenge now is to successfully initiate the billing cycle. The speakers noted that the biggest difference in electrical restructuring in California, as compared to Montana, is that California has substantial stranded investments that utility shareholders would be allowed to recover. Electric rates have been frozen at 1996 levels for approximately four years. The utilities are being allowed to recover a competition transition charge.

Cities Considering Purchasing Proposal...Alec Hansen, Montana League of Cities and Towns, told the TAC that it may be necessary for cities and towns to develop group purchasing strategies for residential customers and small businesses to give them more leverage in the market. It may be possible for a municipal government to combine residential and business consumers to arrive at lower prices. After surveying 128 cities, 35 cities expressed an interest in participating in a pilot project that involves group purchasing.

If you would like further information on these presentations, call Todd Everts, Legislative Environmental Policy Office, at 444-3747.

TAC Universal System Benefits Program (USBP) Subcommittee...The USBP Subcommittee is charged with making recommendations to the full TAC on the creation of a USBP fund and how that fund should be administered. A working group of the Subcommittee has met four times and has developed draft guidelines for USBP credits and expenditures. The draft guidelines will be presented to the full Subcommittee sometime in July. In addition, the Subcommittee will review a draft proposal on USBP fund administration.

TAC Education Subcommittee...The Education Subcommittee is scheduled to meet on July 1. Agenda items include an update on the Montana Power Company's pilot programs, the role of the TAC Education Subcommittee in the consumer education process, and legislative recommendations for the full TAC to consider.

TAC to Meet in Sidney...The TAC's next regularly scheduled meeting is in Sidney on July 24.

LEGISLATIVE FINANCE COMMITTEE

Committee to Meet on June 16 and 17...The Legislative Finance Committee (LFC) will meet on June 16 and 17, commencing at 1 p.m. in Room 104 of the Capitol on the 16th. The tentative agenda includes the following:

- appropriation control issues;
- Medicaid estimates;
- update on Mental Health Managed Care;
- update on Crow Tribe coal tax lawsuit;
- supplemental budget requests, fiscal 1998;
- executive response to RIT funding shortfall;
- SB 19 changes related to higher base for equipment purchases;
- MT PRRIME status -- budget module;
- MT PRRIME status -- accounting/human services modules; and
- budget amendments/SB19 operating plan changes.

SB 378 Subcommittee to Meet...The SB 378 Subcommittee of the Legislative Finance Committee has rescheduled its next meeting to June 15 and 16 at 8 a.m. in Room 108 of the Capitol. The Subcommittee will continue its review of statutory appropriations to determine if they meet statutory guidelines and legislative priorities or if they could be eliminated and replaced with temporary appropriations. If time permits, the Subcommittee will also begin its review of dedicated revenue provisions.

The Subcommittee will begin its meeting with a discussion of the possibility of consolidating statutory appropriations that distribute money to various local entities. To aid in this discussion, the Subcommittee has invited the Montana Association of Counties, the Montana School Boards Association, the Montana League of Cities and Towns, and the Montana Department of Commerce, Local Government Assistance Division.

Please contact LFD staff Roger Lloyd or Bob Tallerico at 444-2986 if you have any questions about the work of the Subcommittee.

Executive Response to the RIT Shortfall...Governor Racicot has adopted a plan for dealing with the 1999 biennium shortfall in Resource Indemnity Trust appropriations that affect eight agencies. The plan addresses two of the five accounts where shortfalls may occur: renewable resources and reclamation and development. For the remainder of fiscal 1998, the agencies will "hold down expenditures as much as possible". For fiscal 1999, the plan is to proportionally allocate an approximate four percent reduction in appropriations to all the agencies with appropriations from these two accounts (including the legislative and judicial branches). The grants programs are not included. The Budget Director will implement provisions of section 17-8-102(2), MCA that allows for quarterly allotments of legislative appropriations. By statute, the allotments are to be based on the requirements of each agency and on past experience. The intent of the plan is to reduce appropriations so the fund balances reflect the levels left by the Legislature. The Governor intends to recommend that HB2 be amended to reflect these reductions to fiscal 1999 appropriations.

The Legislative Finance Committee will review the executive plan at the June 17 meeting.

POSTSECONDARY EDUCATION POLICY AND BUDGET COMMITTEE

PEPB Meets in May...At its May 18 meeting, the Postsecondary Education Policy and Budget Committee (PEPB) discussed a number of important issues.

Community Colleges Merger With University System...Representative Ray Peck and Dr. Dick Crofts, Commissioner of Higher Education, led the discussion about a possible community college merger with the University System based on discussions held at the conclusion of the March Board of Regents' meeting in Havre. Dawson Community College and Miles Community College are interested in a merger. If these two were merged with resulting property tax relief, the Flathead Valley Community College would be under pressure to consider a proposal to merge. However, any merger should not be funded at the expense of the University System funding. The Committee requested that Dr. Crofts work with the community colleges to provide a written report of advantages and disadvantages to both the institutions and the state at the next meeting.

College of Technology Levy Possibly Unconstitutional!...Sandy Whitney of the LFD reported the possibility that the 1.5 mill levy in five counties for the colleges of technology (COT) may be unconstitutional because there is not an equal statewide tax for the statewide educational benefits. Available options may include eliminating the tax, levying a smaller tax statewide, or providing reduced tuition for COT students who reside in the COT county. Action was deferred to the next meeting, pending an opinion from LeRoy Schramm, Chief Legal Counsel at the Office of the Commissioner of Higher Education.

K-16 Education...Sandy Whitney of the LFD presented a report on K-16 education, describing the current options available to high school students to enable them to efficiently move from high school to college. These options include advanced placement courses available in the high schools, college classes taken during the high school years, and contracts with the University System to achieve degrees in four years. The report also provides details of some nationwide efforts to develop performance-based standards for graduation from high school and entrance into college and fiscal policies the Legislature might enact to encourage progress toward its K-16 recommendations. The Commissioner of Higher Education and the Office of Public Instruction outlined progress toward a seamless education in mathematics. The PEPB decided not to pursue this issue any further at this time.

Financial Aid Budget Proposals...Rod Sundsted, Associate Commissioner for Fiscal Affairs, presented the University System request to the Board of Regents for

student financial aid funding for the 2001 biennium. The proposal includes:

- \$2 million general fund for \$500 annual grants to 2,000 working students from lower middle-income families;
- replacement of high school honor scholarships with \$2 million general fund and \$1 million campus scholarship funds to provide tuition, fees, and additional scholarships for students who graduate in the upper 10 percent of their high school classes; and
- \$2.2 million general fund for tuition reductions at the colleges of technology.

PEPB to Meet in July...The PEPB will meet on July 20 in Room 104 of the Capitol building, beginning at 9 a.m. The agenda will include a discussion paper on the advantages and disadvantages of a community college merger with the University System, the University System accomplishments in the area of distance learning, research in the University System, general fund reversions to maintenance accounts, and Board of Regents' guidelines and funds for the Montana Tuition Assistance Program.

TRANSPORTATION FUNDING STUDY COMMITTEE

Committee Meets in May...The Transportation Funding Study Committee (HB 610) met on Friday, May 1 in the State Capitol. This was the last meeting in which the Committee received information needed to formulate its recommendations. The Committee has an August 1, 1998, deadline to conclude its work and report its findings and conclusions to the Legislative Finance Committee and the 56th Legislature.

Executive's Plan for Addressing Funding Shifts...Dave Lewis, the Governor's Budget Director, provided a report on the most current plans for shifting agencies, other than the Department of Transportation (MDT), off the Highway Special Revenue Account (HSRA). Mr. Lewis reported that resource prices in the lumber, metals, and agriculture industries are down and this is having an adverse impact on Montana's revenue outlook. He could not provide any specifics on planned funding shifts because the executive planning process is in the early phase and the complete picture is not known. He said that Department of Justice incarceration costs was one area where the executive is taking a close look at potentially shifting off the HSRA. Any funding shifts will be impacted by the availability of funds.

Concerns From the Transportation Commission...Transportation Commissioners Patricia Abelin, Thorm Forseth, Bob McKenna, and Ed Smith each discussed concerns the Commission had with potential recommendations that may come from the Committee. Ed Smith provided his perspective of the HSRA history. This discussion included the 1993 Legislature's \$0.07 per gallon increase in the gas tax and the increased funding from the gas tax account of agencies other than MDT.

WTI Study of Privatizing MDT's Maintenance Functions...John Blacker, MDT Maintenance Division Administrator, discussed the Western Transportation Institute's (WTI) privatization study of highway maintenance. He explained that the cost of the study was significantly higher than anticipated and that MDT and the Montana Contractor's Association (MCA) had mutually agreed to not go ahead with the study. It was also perceived that the WTI study would be biased since MDT does a good deal of subcontracting with WTI. Mike Foster, Executive Director of the MCA, provided his perspective of why the study was not done. He also stated that MCA proposed a pilot project for contracting highway maintenance, but MDT did not agree to a pilot project for several reasons. Transportation Commissioners Abelin, McKenna, and Smith and Tom Foley, Executive Director of the American Federation of State, County, and Municipal Employees, presented their concerns with privatizing MDT's maintenance functions. Representative Ed Grady stated that he sponsored the bill that set up the Transportation Funding Study Committee. A review of privatization was not included in the bill and that the Committee needs to address the funding issues.

Impacts of Redirected Coal Tax on LRBP...Nan LeFebvre, LFD Senior Fiscal Analyst, gave a presentation of the impacts on the Long-Range Building Program (LRBP) if coal tax is redirected to the HSRA. Ms. LeFebvre pointed out that prior to the 1997 legislative session, 12 percent of the annual coal severance tax revenues were allocated to the Highway Reconstruction Trust Fund program. The 1995 Legislature reallocated those monies to the LRBP. Without the coal tax money, the \$9.9 million that was available to the Legislature for cash projects would have been reduced to approximately \$0.6 million. The 1997 Legislature approved \$121.6 million out of \$454 million in requested projects. These projects were mostly funded through the sale of bonds. Without the coal tax money, the debt service, approximately \$6.0 million per biennium, would become the obligation of the general fund.

Status of Federal Transportation Funding Legislation...Greg DeWitt, LFD Associate Fiscal Analyst, provided a status of the federal highway legislation. Both the Senate and House have passed bills. The two bills have significant differences that are being worked out in conference committee. No progress had been made at the time of the meeting.

Needs Assessments...Staff from MDT presented the Committee with an overview of their needs assessment for their major highway categories. The presentation identified the number of miles and associated costs of each type of remedial action for each of the major highway categories. MDT Staff also identified problems with functions that are currently privatized in the Department and actions they are taking to address the problems.

Department of Justice Non-Highway Safety Areas...Col. Craig Reap, Chief of the Highway Patrol, identified areas in the Department of Justice (DOJ) that are funded by gas tax and that are outside the state transportation safety laws. It was determined that \$3.4 million of the fiscal 1998 budget is for non-highway safety activities.

Fish, Wildlife and Parks State Park Fee Study... Fish, Wildlife, and Parks staff presented the results of a study they conducted on state park fees and results of a survey of neighboring states' practices for state parks, snowmobiles, motor boats, and off-highway vehicle programs.

Transportation Related Fines, Fees, Penalties, and Forfeitures... Dave Galt, MDT Administrator of the Motor Carrier Division, and Col. Craig Reap presented information about revenues from transportation related fees, fines, penalties, and forfeitures that are not being deposited in the HSRA. In fiscal 1997, \$5.5 million in fines, penalties, and forfeitures were collected. Half of this revenue went back to the counties and the other half went to the state general fund.

Transportation Funding Study Committee to Meet in June... The next scheduled meeting of the Transportation Funding Study Committee is on June 22 and 23 in Room 104 of the State Capital Building. This will be a working meeting in which the Committee will formulate its recommendations.

DEPARTMENT OF FISH, WILDLIFE, AND PARKS

FWP Involved in Strategic Planning... Recent Department of Fish, Wildlife and Parks actions may dramatically change the way in which it sets policy and administers its legislative programs. Because of the potentially far-reaching impacts and future involvement of the Legislature, members of the Legislature may want to become informed of these actions. In conjunction with the proposed changes, the Department wants to change to a more goals and outcomes-based management style and to a performance-based method of budgeting.

FWP Seeking Public Comment... The Department is soliciting public comment on three strategic planning documents: "Fisheries Beyond 2000", "Wildlife Programmatic EIS", and "2020 Vision for Montana State Parks". These documents and/or the executive summaries may be ordered from the Department. According to the Department, these documents were produced because, "Changes in our social, political, economic, and environmental climate have the potential to dramatically influence FWP's management in the near future". Final drafts of the documents will be prepared with consideration of public input and used to develop Department operations and work plans.

The "Fisheries Beyond 2000" lists what the Department considers are four key elements of the strategic plan (habitat, fish management, fishing access, and aquatic education) and presents the Department's goals for each. Some of these goals involve new programs or expanded programs and may necessitate changes in existing programs.

The "Wildlife Programmatic EIS" is a lengthy document that proposes five different alternatives that would shape the wildlife program over the next ten years. The alternatives range from no change to extensive changes (including elimination) in

major wildlife programs such as block management, hunter education, game damage, non-game wildlife, threatened and endangered species, game farms, predator control, and habitat acquisition. Many of these changes would require legislative approval and statute changes.

The "2020 Vision for Montana State Parks" is also a lengthy document that will provide policy direction until 2020 on where the state park system should be heading. Although the focus is on the 41 state parks, other programs such as motorized trails, watchable wildlife, cultural and historic sites, law enforcement, fishing access, and water-based recreation are also described in the plan. Five "Alternatives Futures" are offered: acquisitions, development, meeting recreational needs, parks programs and staffing, and fees and funding. Alternatives vary from scaling back the current program to increasing all aspects. According to the Department, exploring new user and/or commercial fees is a preferred alternative as is implementing regular fee increases. Numerous goals, objectives, and policy statements are also included in the document.

If you wish further information on this issue, please contact Roger Lloyd of the Legislative Fiscal Division at 444-2986.

COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT SYSTEMS

CPERS Considers Retirement Option Plan...Under the scenario being considered by the Committee on Public Employee Retirement Systems (CPERS), new state and local government employees hired into positions currently covered by the Public Employees' Retirement System (PERS) would chose to join either a new slightly modified PERS or a defined contribution (DC) retirement plan. Current PERS members with less than 5 years of service would also be given a choice of retirement plans. However, current PERS members with 5 or more years of service would have to stay in the current PERS. At a meeting on Friday, May 22, CPERS voted on specific features of a Retirement Option Plan, which would involve these two new plans (i.e., a modified PERS and a DC plan).

CPERS Considering Health Plan Option...Among the modifications to the existing PERS would be a health plan option where members could place a certain percentage of their pre-tax retirement contributions into a VEBA (a special account) for payment of health insurance premiums after retirement. However, this change would likely require an expansion of the eligibility criteria in the group health plans covering public employees, and expanded eligibility may increase costs. Thus, although CPERS voted to include this feature in the modified PERS, CPERS members also requested additional information about how the VEBA would work and what the implications would be for group health benefits and how the VEBA would interact with an individual's flexible spending account or medical savings account (if the employee leaves public service and becomes eligible for a medical savings account).

Defined Contribution Plan...The DC plan would offer members, who elect to join it instead of the PERS defined benefit plan, control over the employee and employer contributions and a menu of investment choices. One advantage of a DC plan is that the member's account is more portable (i.e., moveable) if the member leaves public service before retirement. The disadvantage is that the member bears the risk and responsibility of managing his or her retirement money.

To Meet in July...The Committee's next meeting will be on July 10. Actuarial Sciences Associates, Inc. (ASA) will present Report No. 3, an implementation plan for CPERS's recommendations.

Additional information about CPERS's activities is available at the CPERS Internet home page at <http://www.mt.gov/leg/branch/pers_main.htm> or by contacting Sheri Heffelfinger at (406) 444-3596 or through E-mail at <sheffelfinger@mt.gov>.

THE BACK PAGE

The mission of the Legislative Council includes providing ongoing leadership, direction, and foresight for the efficient operation and improvement of the Legislative Branch. To help accomplish this mission, the Council has established a permanent Legislative Improvement Subcommittee. Over the course of this interim, the Subcommittee has identified a number of issues to consider. Some of the issues have been smaller procedural matters that, once approved, can be handled in rules amendments or procedural changes. Others are more far reaching and will require legislation for implementation. The Legislative Improvement Subcommittee and the Legislative Council will begin considering implementation of a number of these issues next September. In the mean time, the members solicit the ideas of their colleagues and others.

This "Back Page" article is designed to prod the thinking of legislators on ways to improve the process. Comments on issues discussed here or other ideas can be addressed to the Subcommittee c/o the Legislative Services Division or by contacting any of the members of the Subcommittee: Sen. Mike Halligan, Sen. Al Bishop, Rep. Larry Hal Grinde, or Rep. Vicki Cocchiarella.

A NEW AND IMPROVED LEGISLATURE?

by

Bob Person, Executive Director

and

Leanne Kurtz, Research Analyst
Legislative Services Division

INTERIM RESTRUCTURING

One of the major issues assigned to the Legislative Improvement Subcommittee is to develop a proposal for one committee to oversee the Legislative Branch and to consolidate committees. The implication, of course, is a significant restructuring of the interim organization of legislative committees.

Mention the word "restructuring" to anyone involved in the Legislature and visions of Senate Bill 390, power lines, dams, and utility bills suddenly spring to mind. Within the Legislative Services Division (LSD), however, a different sort of restructuring is taking shape. LSD staff, led by the Office of Research and Policy Analysis at least in part in response to the challenge to assist the Legislative Improvement Subcommittee, have been working diligently on examining the current interim committee structure, identifying problems with that structure, and crafting a plan to address the problems.

At a May 14 meeting, staff presented the plan to the Legislative Improvement

Subcommittee. The questions and concerns expressed by the Subcommittee proved invaluable in assessing how the concept would be received by the Legislative Council and, ultimately, the 1999 Legislature. The next day, the full Legislative Council heard staff's presentation and, after considerable discussion, directed staff to continue fleshing out the details of the plan. Between now and September, it is staff's and the Council's hope that any comments, questions, or concerns that arise be brought to our attention. Input from legislators, members of the public, and executive and judicial branch staff will be absolutely necessary if there is to be any chance of designing an efficient, effective, and workable interim committee structure.

INTERIMS PRESENT - THE PROBLEMS

Through a series of staff meetings this spring, common problems with the current interim process were identified and discussed. These are as follows:

Proliferation of interim committees that results in staff and secretaries being stretched too thin.

Legislators and staff often feel that the committees and studies are of questionable importance and a waste of time and resources.

Final reports near completion at the same time that bill drafting and editing for session begins.

Demand on staff time makes reducing comp time difficult during the interim.

Legislators and staff often end up involved in interim committees that have no relation to session committee assignments, resulting in a lack of interest, a steep learning curve in a short period of time, the inability for staff and legislators to specialize, and the inability for staff and committee members to follow up on interim committee issues and bills.

A daunting glut of final reports appear on legislators' desks at the beginning of the session which may or be not be read or studied.

Limited staff creates significant problems when unexpected (or expected) absences occur.

Some legislators have lost faith in the interim committee system as a means of addressing policy issues that arise during the session and the interim.

Some interim committees have unclear charges, resulting in members and staff having to create work for themselves simply to fulfill the vague requirements of the statute.

The current structure results in some legislators finding themselves serving on numerous committees that demand an unreasonable amount of their time and attention.

Members of the public do not always know which interim committee is the appropriate one to address their concerns.

In the future, particularly the 1999-2000 interim, space for meetings and staff work space will be at a premium as the interior of the Capitol is renovated. LSD will be removed from the building shortly after adjournment of the 1999 Session and assigned temporary quarters for about a year.

RESTRUCTURING PROPOSAL SUMMARY

The proposal that staff envisions consolidates statutory and interim study committees into six permanent interim committees with stable jurisdictional coverages much as session standing committees but also with agency rule review responsibilities for agencies within their jurisdictional domains. The Legislative Council, Legislative Finance Committee, and the Legislative Audit Committee remain unchanged. The Environmental Quality Council remains fundamentally unchanged, save its assuming formal administrative rule review functions. The permanent committees, as proposed, include a Revenue and Taxation Committee, a Business and Labor Committee, a State Administration Committee, a Law and Justice Committee, a Health and Welfare Committee, and an Education Committee.

Staff identified these six committees through an analysis of the assortment of committees for this and three previous interim periods. Nearly every interim committee from 1991 through 1998 staffed by the Legislative Services Division, and even some others, fit easily within the anticipated purview of one of the six "new" committees. The exceptions are the Committee on Indian Affairs and the constitutionally-mandated Districting and Apportionment Commission. Staff has examined various options for these two committees.

A color chart has been created that illustrates how interim committees of the past would have fit into the proposed scenario. The chart cannot be reproduced in color in *THE INTERIM*, but a color copy can be obtained by contacting Leanne Kurtz at 444-3064.

The details of the plan described below represent the staff's original proposal, with the concerns of the Legislative Council and its Legislative Improvement Subcommittee appearing in *italics*. This is a working document, intended to elicit comment and initiate discussion.

INTERIMS FUTURE?

Committee Activities

Study resolutions are the primary vehicle by which interim assignments are given to the six committees. Each study resolution must contain language indicating which of the six committees should conduct the study.

This was a point of concern for some members of the Legislative Council. Members felt that the Legislative Council should have more influence in determining the committees to which resolutions are assigned.

Committee Classification/Funding/Staffing

A general interim committee budget is appropriated in one block during the session to the Legislative Services Division. At the beginning of each interim, the Legislative Council meets and evaluates the issues that have emerged, the volume and nature of study resolutions passed, and the issues that might emerge during the interim. With this information and with recommendations from staff, the Council classifies each committee as a Class I, Class II, or Class III committee and allocates the committee budget accordingly. For example, if the Business and Labor Committee has been assigned two study resolutions, neither of which appear complicated or time-intensive, while the Education Committee has received 10 resolutions, all of which look to be major undertakings, the Council might classify Business and Labor as a Class III and Education as a Class I. Naturally, Education would consume more staff time and resources and have to meet more often than would Business and Labor.

A staffer assigned to the Business and Labor Committee is able to conclude committee business and complete the final report well ahead of the staffer's Class I counterpart. This alleviates the final report and bill draft processing bottleneck that has occurred as the interim winds down and the session begins. This also allows the Class III staffer to assist Class I counterparts or to begin drafting bills.

A lead researcher, lead attorney, and a secretary are assigned to each committee, regardless of its classification. Other research staff are assigned to committees as "second chair" staff, to assist as needed and as available.

The Legislative Council discussed options for numbers of members on each committee. Some members suggested that a Class III committee have fewer members or not be appointed at all if no resolutions were assigned it. Others commented that the same number of members for each committee was preferred because unexpected issues of statewide importance might arise during the interim, reclassifying that committee to a Class I. In addition, the same number of members assigned to each committee would allow for maximum legislator participation in the interim process.

Committee Prioritization/Limit on Subcommittees

The committee members themselves prioritize the studies the committee receives through resolution, rather than the entire Legislature as has been done through a

polling process in the past. At its first meeting, for instance, the Education Committee determines that just two of the 10 resolutions assigned it warrant intensive study. The committee has the prerogative to concentrate on just those two issues and is under no obligation to address the others. This allows for thorough study of a few important issues, as opposed to brief exposure to numerous subjects with limited time to delve deeply into any of them. Because the Legislative Council has evaluated not only the volume of resolutions but the anticipated complexity of the studies they propose, a committee's paring down the number of items on its interim agenda should not result in any change of its initial classification.

This, too, elicited concern from the Legislative Council. All of the members who spoke to this item commented that they would rather the polling of the entire Legislature continue to take place than for each committee to do its own prioritization. The procedure suggested was that all of the study resolutions be ranked by the full Legislature (as is currently done), and the results of that poll be submitted to the Legislative Council when it meets soon after sine die to classify committees, allocate funding, and assign study resolutions to the appropriate committees.

Each committee can expect staff support for two subcommittees if the committee chooses to appoint them. Allowing unlimited subcommittees could result in an unchecked mushrooming of groups that will exacerbate the problem of staff and secretaries' workload and inability to focus. If members feel that more than two small working groups are warranted, they may appoint more, and staff will provide a room, public notice, and a tape recorder, but no minutes or research/legal presence can be expected.

Emerging Issues

If a committee is determined at the beginning of the interim to be a Class III committee, and halfway through the interim, an unanticipated issue of statewide importance arises, either the Legislative Council, on its own accord, can reclassify it and allocate more money, or the committee can petition the Council for a reclassification.

Committee Membership

To provide as much continuity for legislators and staff as possible as the session moves into the interim and back to the session, a certain percentage of members on each interim committee must have served on the session standing committees that have been determined to be "in the ballpark" vis-a-vis the issues brought before them.

The Legislative Council debated the merits of subject area continuity from session to interim (something that may become particularly important as term limits kick in) versus "pigeonholing" members into a subject area, limiting their ability to diversify. A proposed compromise would be to require that 50% of each committee's membership come from the session standing committees that handle similar issues, with the full legislature providing the other half. Another protection for members who do not wish to specialize (whether voluntary or not) is the broad subject area

jurisdiction each of the six committees would have. For example, the Business and Labor Committee might deal with everything from agricultural issues to gambling to worker's compensation -- a fairly wide array of subjects.

Committee Jurisdiction/Administrative Rule Review/Audit Reports

Each of the six committees, plus the Environmental Quality Council, is assigned executive and judicial branch agencies over which the committee has subject area jurisdiction and administrative rule review responsibilities. The current Administrative Code Committee is disbanded, as are all of the interim committees currently in statute. Rationale is that members with knowledge in specific areas and of specific agencies are well-equipped to review those agencies' proposed administrative rules. Each committee is assigned a legal staffer to assist with the administrative rule review process as well as to offer a legal perspective on the deliberations of the committee.

The Legislative Audit Committee notifies the appropriate interim committee of audits that have been conducted in the agencies within the interim committee's purview. Interim committee members attend the Audit Committee meeting at which that audit is reported.

Committee on Indian Affairs/Districting and Apportionment Commission

Neither of these committees lend themselves well to the structure outlined here. Districting and Apportionment is a constitutionally-established commission, so it must remain fundamentally unchanged. Staff resources must be diverted to attend to the Commission in varying degrees interim to interim.

The Committee on Indian Affairs could be made a permanent subcommittee of the Law and Justice Committee, left as it is, or disbanded. Staff recommends that disbanding occur only if a Commission on Indian Affairs that includes legislative members replaces the current Office of Indian Affairs affiliated with the Governor's Office. This has been proposed by the Governor's Coordinator of Indian Affairs and is currently being reviewed by the tribes. If a Commission on Indian Affairs comes to fruition, the responsibilities of the Committee on Indian Affairs and the critical forum that it provides for state/tribal exchange would be shifted to that entity.

TIME FOR COMMENT

As was previously mentioned, this is a work in progress. No decisions have been made and no bills have been drafted. We found the Legislative Council's comments and questions invaluable; the project's success, in fact, hinges on continuation of that dialogue. Future discussions will broaden to include committees (beyond the Finance Committee) staffed by the Legislative Fiscal Division (LFD) and will address the appropriate role of LFD staff in the interim committee process. We plan to form a working group of researchers, attorneys, fiscal analysts, and environmental analysts to hammer out the details this summer.

If you have questions, comments, concerns, or suggestions, or if you would like to see the tables and chart that accompanied the original proposal, please contact Leanne Kurtz via e-mail at <lekurtz@mt.gov> or by phone at (406) 444-3064.

OTHER LEGISLATIVE IMPROVEMENT ISSUES

In addition to the big issue of interim restructuring, the Legislative Council has also approved for further consideration the following items.

Legislative Orientation

The Council endorsed a proposal, to be planned and implemented by the majority and minority leaders in each house, to provide more detailed orientation, including processing a mock bill, for new legislators. "Sophomore" legislators will be assigned to the orientation committee. Additionally, leadership will appoint "mentors" for "freshman" legislators.

House Hearing Notices

The Council endorsed a recommendation that the House adopt a rule like that of the Senate generally requiring a 3-day notice for committee hearings.

Indexing of Large Bills

Often large bills are difficult to navigate. Indexing would assist greatly with this, but until now would have been a difficult undertaking. The new bill processing system under development in the Legislative Services Division this interim will make it easier to do indexes for large bills. The Council has endorsed a proposal to provide such indexes when needed.

More Communications Support for Members

Voice mail has been employed by some members already without a consistent policy within the Legislature for who may have it provided or how it might be used. E-mail is similarly not universally provided. The Council has asked that further work be done on these issues and that availability should be on an equivalent basis. Use also needs to be coordinated with the word processing centers and the message center for maximum value.

Better Training for Committee Presiding Officers

A manual has been prepared to serve as a basis for giving training designed to help improve the consistency of procedure in committees and help with committee efficiency and public perception. Courtesy coordination of hearing schedules with principal sponsors was also to be included as a recommendation in this manual and the training sessions.

Change the Process for Honorary Recognitions

Strong endorsement is given to a proposal to require use of a certificate rather than a resolution to honor teams, schools, organizations, etc. Honorees will still be

introduced on the floor. (A number of models have been prepared as examples of forms that could be used for this purpose.) Rules should be devised to provide procedures, e.g. an appropriate motion on special orders of the day to provide for the introduction of a group, reading of the certificate, and placement of the text of the certificate in the journal for the day.

Drafting Priorities Set by Leadership

The Council has recommended a rule that the majority and minority leadership in each house each be allowed to designate up to 10 bills for priority drafting. This is to help assure significant legislation can be available as soon as possible for legislative consideration regardless of when it may have been requested for drafting.

Improving the Second Reading Record

The Council chose not to endorse a proposal to begin recording Second Reading debate now, preferring to wait and reassess the proposal following Capitol renovation, which includes the installation of better communications infrastructure. The idea of including the text of failed amendments in the journals was endorsed as a step toward better documentation of Second Reading actions.

Other Issues

Several other proposals for clarifying either rules or processes, especially in the House, were referred favorably for further consideration by the House Rules Committee.

CONCLUSION

Legislative improvement begins with ideas be they sweeping or small and incremental. Legislators and those interested in the Legislature owe a duty to assess their institution continually for opportunities to improve. You can help by thinking of ways to improve the process and by opening yourself to the ideas of others aimed at the same target. Please accept the invitation extended earlier to engage in these discussions.



INTERIM CALENDAR

UNLESS OTHERWISE SPECIFIED,
ALL ROOM DESIGNATIONS ARE IN THE CAPITOL

JUNE

- June 3, Committee on State Management Systems, Room 108, 9 a.m.
- June 15-16, LFC Subcommittee on Dedicated Revenues and Statutory Appropriations (SB 378), Room 108, 8 a.m.
- June 16, Legislative Finance Committee, Room 104, 1 p.m.
- June 17, Legislative Finance Committee, Room 104, 8 a.m.
- June 18, CSOC Subcommittee on Private Prisons and Programs, Room 108, 3 p.m.
- June 19, Correctional Standards and Oversight Committee, Room 108, 8:30 a.m.
- June 18, Interim Property Tax Committee, Donaldson Hall Commons Room, MSU-Northern, Havre, 9 a.m.; Public Hearing, 7 p.m.
- June 19, Interim Property Tax Committee, Great Falls, Public Hearing, 10 a.m.
- June 22, Oversight Committee on Children and Families
- June 22-23, Transportation Funding Study Committee, Room 104, 8 a.m.
- June 23, Legislative Audit Committee, Room 108
- June 25, EQC Growth Subcommittee, Western Montana College, Dillon, 8 a.m.
- June 25, EQC Water Policy Subcommittee, Dillon
- June 26, Environmental Quality Council, Dillon

JULY

July 1, TAC Education Subcommittee

July 3, Independence Day observed, legal holiday

July 10, Committee on Public Employee Retirement Systems

July 24, Transitional Advisory Committee, Sidney

NOTE: The Interim Property Tax Committee also has the following meetings and public hearings scheduled: August 6, Columbus; August 7, Billings; and September 11, Helena.

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